

23.12.2022
S/L No.3
KS

C.R.M.(SB) 299 of 2022
Animesh Sarkar alias Goutam
-Vs.-
The State of West Bengal & Anr.

In Re: An application for bail under Section 439 of the Code of Criminal Procedure filed in connection with Baishnab Nagar Police Station Case No.879 of 2022 dated 09.10.2022 under Sections 323/ 506/ 34 of the Indian Penal Code read with Section 8 of the POCSO Act.

Mr. Kushal Mukherjee

..... For the Petitioner

Mr. Binoy Panda

Mr. Subham Bhakat

.....For the State

Learned advocate appearing for the petitioner submits that petitioner is in custody for more than 70 days and charge-sheet has already been submitted before the Jurisdictional Court. It has also been submitted that the next date for trial before the Learned Special Court has been fixed on 16th February, 2023 for appearance and framing of charges.

Learned advocate appearing for the State opposes the prayer for bail.

I have considered the submissions advanced by learned advocate appearing for the petitioner as well as learned advocate appearing for the State and having regard to the period of detention suffered and the nature of the allegations complained of, I am of the opinion that further detention of the petitioner is unwarranted.

In the facts and circumstances of the instant case, the petitioner would be released on bail upon furnishing a bond of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of like amount each, one of whom must be local, to the satisfaction of the Learned C.J.M. Malda. If on bail, the petitioner shall stay outside the jurisdiction of Baishnab Nagar Police Station and shall enter the said jurisdiction only for the limited purpose of meeting the Officer-in-Charge, Baishnab Nagar Police Station once in a week until further orders. Petitioner shall inform his address/place of residence to the Officer-in-Charge of Baishnab Nagar Police Station as well as the Learned Special Court and the Learned C.J.M., Malda. If there is any change of address and the same is not informed to the Learned Courts or the police authorities, the bond furnished shall stand automatically cancelled. The petitioner shall be physically present on each and every date fixed for the purposes of this case before the Learned Special Court. Any violation of the aforesaid conditions will entitle the Learned Special Court to cancel the bail without further reference to this Court.

Accordingly, C.R.M.(SB) 299 of 2022 is allowed.

All parties are directed to act on the server copy of this order downloaded from the official website of this Hon'ble Court.

(Tirthankar Ghosh, J.)